

HAMILTON COUNTY BOARD OF COMMISSIONERS  
JANUARY 10, 2005

The Hamilton County Board of Commissioners met on Monday, January 10, 2005 in the Commissioners Courtroom located in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A at 1:00 pm. President Dillinger called the public session to order and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

**Election of Officers**

**President**

Holt nominated Christine Altman to serve as President for 2005. Dillinger seconded. Motion carried unanimously.

**Vice President**

Dillinger nominated Steven A. Holt to serve as Vice President for 2005. Altman seconded. Motion carried unanimously.

**Approval of Minutes**

Holt motioned to approve the minutes of December 13, 2004 and December 22, 2004. Dillinger seconded. Motion carried unanimously.

**Plat Approval [1:49:35]**

**Mayflower Park Replat, Block 6 Lots 3&4**

Mr. Tim Knapp presented the replat of Mayflower Park, Block 6, Lots 3&4 for approval. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Executive Session Memoranda**

Holt motioned to approve the January 10, 2005 Executive Session Memoranda. Dillinger seconded. Motion carried unanimously.

**Highway Business [1:50:28]**

**Acceptance of Bonds/Letters of Credit - Highway Department**

Mr. Jim Neal requested the acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-99-0001 - Ohio Casualty Group Continuation Certificate for Bond No. 3-472-497 issued on behalf of Weihe Construction, Inc. to now expire January 12, 2005. 2) HCHD #B-04-0114 - Erie Insurance Company Permit Bond No. Q956870108 issued on behalf of The Palladium Group, LLC for a road cut to expire November 18, 2005. 3) HCHD #B-04-0115 - Hartford Fire Insurance Company Subdivision Bond No. 468SSBDF4781 issued on behalf of Centex Homes for Intracoastal at Geist 2A for a road cut to expire December 17, 2005. 4) HCHd #L-04-0016 - Community Bank Irrevocable Letter of Credit No. 329 issued on behalf of Campbell Development Company 2, LLC, Chateaux De Moulin Addition (West 116th Street) in the amount of \$14,173.80 for road improvements to expire December 7, 2005. 5) HCHD #L-04-0017 - Community Bank Irrevocable Letter of Credit No. 330 issued on behalf of Campbell Development Company 2, LLC Chateaux De Moulin Addition (West 116th Street) in the amount of \$8,280 for top coat of asphalt to expire December 7, 2005. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit - Highway Department**

Neal requested the release of Bonds and Letters of Credit for the highway department. 1) HCHD #B-01-0132 - National fire Insurance Permit Bond #929224410 issued on behalf of Flynn & Zinkan Holdings, LLC for a commercial drive permit COMDR-2001-0009. 2) HCHD #B-02-0068 - Travelers Casualty & Surety Company maintenance bond #27S103510285BCM issued on behalf of Glendale Partners for Carwinion Way. 3) HCHD #B02-0060 - Ohio Farmers Insurance Company Performance/Payment Bond #5887848 issued on behalf of Shelly & Sands Inc. for Resurface Contract 02-5. 4) HCHD #B-03-0123 - Ohio Farmers Insurance Company Performance Bond #5972743 issued on behalf of Shelly & Sands, Inc. for Resurface Contract 03-5. 5) HCHD #B-03-0123 - Ohio Farmers Insurance Company Payment Bond #5972743 issued on behalf of Shelly & Sands, Inc. for Resurface Contract 03-5. 6) HCHD #B-02-0100 - National Fire Insurance Company Permit #SRVCON-2002-469 issued on behalf of Flynn and Zinkan Holdings for a tap pit and adjacent directional bore. 7) HCHD #B-02-0102 - Safeco Insurance Company Subdivision Bond #6183728 issued on behalf of Centex Homes for a street cut in Hayden Run, Section 1. 8) HCHD #B-03-0024 - Safeco Insurance Company Subdivision Bond #6200098 issued on behalf of Centex Homes for stone base, HAC binder & surface, concrete curbs, street names/signs in Hayden Run, Section 2. 9) HCHD #B-03-0097 - Safeco Insurance Company Subdivision Bond #6223333 issued on behalf of Centex Homes for stone base, concrete curbs, street names in The Ridge at Hayden Run 1. 10) HCHD #B-03-0136 - Safeco Insurance Company Subdivision Bond #6236234 issued on behalf of Centex Homes for work in right of way at The Ridge at Hayden Run, Section 1. 11) HCHD #B-02-0144 - Gulf Insurance Company Subdivision Bond #B21869622 issued on behalf of Northside Investments, LLC for streets and curbs in Long Branch, Section 2. 12) HCHD #B-03-0019 - Ohio Farmers Insurance Company Supply Bond #5972694 issued on behalf of MarZane Inc. For bituminous mixtures in the western part of the county. 13) HCHD #B-03-0064 - St. Paul Fire and Marine Insurance Company Performance Bond issued for Milestone Contractors for Resurface Contract 03-2. 14) HCHd #B-03-0065 - St. Paul Fire and Marine Insurance Company Payment Bond issued on behalf of Milestone Contractors for Resurface Contract 03-2. 15) HCHD #B-03-0098 - St. Paul Fire and Marine Insurance Company Performance Bond issued on behalf of Milestone Contractors for Resurface Contract 03-3. 16) HCHD #B-03-0099 - St. Paul Fire and Marine Insurance Company Payment Bond issued on behalf of Milestone Contractors for Resurface Contract 03-3. 17) HCHD #B-03-0131 - St. Paul Fire and Marine Insurance Company Performance Bond issued on behalf of Milestone Contractors for Resurface Contract 03-6. 18) HCHD #B-03-0132 - St. Paul Fire and Marine Insurance Company Payment Bond issued on behalf of Milestone Contractors for Resurface Contract 03-6. 19) HCHD #B-03-0114 - St. Paul Fire and Marine Insurance Company Performance Bond issued on behalf of Grady Brothers, Inc. for Resurface Contract 03-4. 20) HCHD #B-03-0115 - St. Paul Fire and Marine Insurance Company Payment Bond issued on behalf of Grady Brothers, Inc. for Resurface Contract 03-4. 21) HCHD #B-03-0119 - St. Paul Fire and Marine Insurance Company Performance Bond issued on behalf of Grady Brothers, Inc. for Resurface Contract 03-4. 22) HCHD #B-03-0120 - St. Paul Fire and Marine Insurance Company Payment Bond issued on behalf of Grady Brothers, Inc. for Resurface Contract 03-4. 23) HCHD #B-03-0126 - Federal Insurance Company Subdivision Bond \$8193-28-82 issued on behalf of Centex Homes for streets in Hayden Run, Section 3. 24) HCHD #B-03-0127 - Federal Insurance Company Subdivision Bond #8193-28-83 issued on behalf of Centex Homes for concrete curbs in Hayden Run, Section 3. 25) HCHD #B-03-0128 - Federal Insurance Company Subdivision Bond \$8193-28-84 issued on behalf of Centex Homes for street signs in Hayden Run, Section 3. 26) HCHD #B-04-0004 - Western Surety Permit Bond issued on behalf of Flynn and Zinkan Holdings for a water tap for Kroger Plaza Project. Permit #WKROW-2004-0004. 27) HCHD #B-04-0009 - Arch Insurance Company Subdivision Bond #SU5005255 issued on behalf of Centex Homes for stone base, HAC binder, HAC surface, concrete curbs, street

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names and regulatory signs in The Ridge at Hayden Run, Section 2. 28) HCHD #B-04-0014 - Western Surety Permit Bond issued on behalf of Flynn and Zinkan Holdings for a bore under Olio Road to connect new sanitary sewer in intersection of Olio Road and 116th Street (Permit #WKROW-2004-018). Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

**Agreements/Supplements [1:51:05]**

**Signal Preemption Agreement - Noblesville**

Neal requested approval of an agreement for Installation of Emergency Vehicle Preemption Equipment to Various Traffic Signals Under Control of Hamilton County In and Near the City of Noblesville, Hamilton County, Indiana. The equipment would be installed at the following 146th Street intersections - 146th & Allisonville, River Road, Cherry Tree Road, Hazel Dell Road as well as 206th & Cumberland Road. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Subdivision Inspection Agreement, Amended  
Towne Pointe Subdivision**

Neal requested approval of an amended Subdivision Inspection Agreement, HCHD #A-04-0007, for Towne Pointe Subdivision with Olivewood Construction, Inc. and DLZ, Inc. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Utility Agreements [1:52:34]**

**Bridge #191, Olio Road over Geist Reservoir**

Neal requested approval of Utility Agreement, HCHD #M-05-0001, with Insight Communications for Bridge #191, Olio Road over Geist Reservoir. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Bridge #175, 146th Street over Mud Creek**

Neal requested approval of Supplemental Agreement #3, HCHD #E-99-0008, with AECON, Inc. for bridge replacement on 146th street over Mud Creek, 100' west of Crystal Creek Dr., Bridge #175. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Bridge #33, 106th Street over Spring Mill Run**

Neal requested approval of Supplemental Agreement #4, HCHD #E-98-0033, with AECON, Inc. for bridge replacement of 106th Street over Spring Mill Run, 150' west of Crooked Stick Lane, Bridge #33. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Acceptance of Right of Way [1:54:38]**

**College Park Baptist Church**

Neal requested approval of the dedication of right of way from College Baptist Church of 60' half right of way on 96th Street. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Neal requested approval of the dedication of right of way from College Baptist Church of 70' half right of way on Towne Road. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Concurrence with Traffic Study Correspondence**

Neal requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Correspondence [1:56:05]**

**Condemnation Request - Bridge #110**

Neal requested approval of a condemnation request for Bridge #110, 186th Street over Cool Creek, for Parcel 03: C. Stephen Roudebush and Parcel 10: Martin C. Roudebush. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Bridge #60 INDOT Certification Letter**

Neal requested approval of the certification letter to INDOT for Bridge #60, Gwinn Road over Little Cicero Creek. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**MPO Projects**

Mr. Brad Davis stated the Indianapolis MPO did not act on any of the projects submitted for funding last year. They have requested projects for 2006-2008 Transportation Improvement Program. Davis stated they are proposing to resubmit the projects submitted last year. Davis proposed submitting the following projects for 2005: 206th Street improvements, 104th and Olio Road, and 96th Street and Towne Road. Davis stated the MPO is hopeful to get additional funding from INDOT for 2005 projects. We will try to apply for 2006 funding for the 96th Street & Mollenkopf and 96th Street & Fall Creek intersections. Altman asked if condemnation with right of possession be sufficient? Davis stated yes. Davis stated the final two projects are Olio Road up to Bridge #191 to submit in 2007. All of these projects will have to go thru federal review. In 2008 will be the southern portion of Olio Road. Davis stated the applications are due by the end of January. Altman asked when they will know when we will have 2005 money? Davis stated the MPO is hoping to hear in the next few weeks. Altman stated it is possible that we might have that indication before we have the submission? Davis stated that is possible. Altman suggested concurrence with the submissions as presented with the provision if Davis hears there is no 2005 money that those two projects slide to 2006 requests. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Bid Openings [CD #2]**

**Judicial Center Chiller Conversion**

Bids for the Hamilton County Government and Judicial Center Chiller Conversion were opened in Conference Room 1A by Michael A. Howard. Only one bid was received. McQuay Air Conditioning Factory Service in the amount of \$93,605.98. The bid was referred to Scott Warner and review for award later today.

**2005 Annual Highway Bids**

2005 Annual Highway Bids were opened in Conference Room 1A by Michael A. Howard. Bid Bonds and Hamilton County Bid Form 95 were included unless otherwise specified. Full bid proposals are available for review in the Hamilton County Auditor's office. The following bidders submitted bids: **Category 1 - Aggregates:** Martin Marietta, US Aggregates and Irving Materials. **Category 2 - Bituminous Mixtures:** E&B Paving, Shelly & Sands, Reith-Riley and Milestone Contractors. **Category 3 - Liquid Bituminous:** - Marathon Ashland and Asphalt Materials. **Category 4 - Pipes/Drainage Structures:** Metal Culverts, Inc., St. Regis Culvert and C.P.I. Supply. **Category 5 - Pre-Engineered Bridges:** CPI Supply, St. Regis Culvert and American Timber Bridge. **Category 6 - Gasoline/Fuel & Lubricants:** Hamilton County Co-Op. **Category 7 - Salt:** International Salt (no bid), Central Salt, LLC (no bid) Morton (no bid), North American (no bid) and Cargil. **Category 8 - Pavement Traffic Markings:** United Rentals,

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Airmarking Company and TR Traffic Services. **Category 9 - Weed & Brush Control:** D'Angelo Brothers and Townsend Tree Service. **Category 10 - Tree/Sump Removal:** Townsend Tree Service and Vine & Branch

**Appointments - 2005**

**Board of Finance**

Holt motioned to appoint Dillinger as President of the Hamilton County Board of Finance for 2005. Altman seconded. Motion carried unanimously.

**Drainage Board Chairman**

Dillinger motioned to reaffirm the appointment of Holt as Chairman of the Hamilton County Drainage Board. Altman seconded. Motion carried unanimously.

**Drainage Board Vice Chairman**

Altman motioned to appoint Dillinger as the Vice Chairman of the Hamilton County Drainage Board. Holt seconded. Motion carried unanimously.

**Drainage Board Attorney**

Altman motioned to reappoint Michael Howard as the attorney for the Hamilton County Drainage Board. Dillinger seconded. Motion carried unanimously.

**County Attorney**

Holt motioned to reappoint Michael Howard as the Hamilton County Attorney. Dillinger seconded. Motion carried unanimously.

**Assistant to Board of Commissioners**

Holt motioned to reappoint Fred Swift as Assistant to the Board of Commissioners. Dillinger seconded. Motion carried unanimously.

**Highway Director**

Dillinger motioned to reappoint Brad Davis as Hamilton County Highway Director. Holt seconded. Motion carried unanimously.

**Highway Engineer**

Holt motioned to reappoint James Neal as Hamilton County Highway Engineer. Dillinger seconded. Motion carried unanimously.

**Veteran Service Officer**

Dillinger motioned to reappoint Wayne Long as Hamilton County Veteran Service Officer. Holt seconded. Motion carried unanimously.

**Weights and Measures**

Holt motioned to reappoint Carey Woodward as Director of Weights and Measures. Dillinger seconded. Motion carried unanimously.

**Alcoholic Beverage Board**

Dillinger motioned to reappoint Sean Fleck to the Hamilton County Alcoholic Beverage Board. Holt seconded. Motion carried unanimously.

**Arcadia Plan Commission**

Holt motioned to reappoint Donald Knapp to the Arcadia Plan Commission. Dillinger seconded. Motion carried unanimously.

**Cable Complaint Representative**

Holt motioned to reappoint Fred Swift as the Cable Complaint Representative. Dillinger seconded. Motion carried unanimously.

**Carmel Plan Commission**

Holt motioned to reappoint Madeline Torres to the Carmel Plan Commission. Dillinger seconded. Motion carried unanimously.

**Emergency Management Advisory Committee**

Holt motioned to reappoint Christine Altman to the Hamilton County Emergency Management Advisory Committee. Dillinger seconded. Motion carried unanimously.

**E-911 Review Board**

Holt motioned to reappoint Steve Dillinger, Doug Carter, Robin Mills and Jerry Larrison as Freeholder. Altman seconded. Motion carried unanimously.

**GIS Committee**

Holt motioned to reappoint Christine Altman to the GIS Committee. Dillinger seconded. Motion carried unanimously.

**4-H**

Dillinger motioned to appoint Steve Holt as chair to 4-H. Altman seconded. Motion carried unanimously.

**Hamilton County Alliance**

Dillinger motioned to reappoint Steve Holt to the Hamilton County Alliance. Altman seconded. Motion carried unanimously.

**Hamilton County Board of Aviation**

Holt motioned to reappoint Tim Tolson to the Hamilton County Board of Aviation Commissioners. Dillinger seconded. Motion carried unanimously.

**Hamilton County Board of Health**

Holt motioned to reappoint Raymond Kincaid and Jon Vanscyoc to the Hamilton County Board of Health. Dillinger seconded. Motion carried unanimously.

**Hamilton County Board of Zoning Appeals South**

Holt motioned to reappoint Charles Crow to the Hamilton County Board of Zoning Appeals South. Dillinger seconded. Motion carried unanimously.

**Hamilton County Cemetery Commission**

Holt motioned to reappoint Martha Gascho to the Hamilton County Cemetery Commission. Dillinger seconded. Motion carried unanimously.

**Hamilton County Common Wage Determination Board**

Dillinger motioned to reappoint Larry Roudebush, James Neal and Dave Burtner to the Hamilton County Common Wage Determination Board. Holt seconded. Motion carried unanimously.

**Hamilton County Council on Aging**

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Holt motioned to reappoint Judy Levine to the Hamilton County Council on Aging. Dillinger seconded. Motion carried unanimously.

**Hamilton County Hospital Association**

Dillinger motioned to reappoint Evan Kellum and Carl Steele to the Hamilton County Hospital Association. Holt seconded. Motion carried unanimously.

**Hamilton County Park Board**

Dillinger motioned to reappoint Larry Roudebush to the Hamilton County Park Board. Holt seconded. Motion carried unanimously.

**Hamilton County Plan Commission**

Holt motioned to reappoint Frank Habig III to the Hamilton County Plan Commission. Dillinger seconded. Motion carried unanimously.

Dillinger motioned to reappoint Steve Holt as the Commissioner's representative to the Hamilton County Plan Commission. Altman seconded. Motion carried unanimously.

**Hamilton County Redevelopment Commission**

Holt motioned to reappoint Gary Meunier, Art Levine, Charlotte Swain, Steve Andrews, and Bill Crandall to the Hamilton County Redevelopment Commission. Dillinger seconded. Motion carried unanimously.

**Hamilton County Safety Committee**

Dillinger motioned to reappoint Christine Altman as chair of the Hamilton County Safety Committee. Holt seconded. Motion carried unanimously.

**Hamilton County Sheriff's Committee**

Holt motioned to reappoint Steve Dillinger to the Hamilton County Sheriff's Committee. Altman seconded. Motion carried unanimously.

**Hoosier Heartland Resources Conservation & Development Council, Inc.**

Holt motioned to reappoint Charles Kiphart to the Hoosier Heartland Resources Conservation & Development Council, Inc. with Al Patterson as alternate. Dillinger seconded. Motion carried unanimously.

**Humane Society Holding Corporation**

Dillinger motioned to reappoint Steve Holt to the Humane Society Holding Corporation. Altman seconded. Motion carried unanimously.

**IRTIP**

Holt motioned that Christine Altman serve as Hamilton County's representative to IRTIP with Steve Dillinger and Steve Holt as alternates. Dillinger seconded. Motion carried unanimously.

**Indianapolis Department of Waterworks Service Advisory Board**

Holt motioned to reappoint Gordon Byers to the Indianapolis Department of Waterworks Service Advisory Board. Dillinger seconded. Motion carried unanimously.

**Information Systems Services Board**

Holt motioned to reappoint Christine Altman to the Information Systems Services Board with Fred Swift as alternate. Dillinger seconded. Motion carried unanimously.

**Insurance Committee**

Holt motioned to reappoint Steve Dillinger, John Elmer, and Bob Fearnin to the Hamilton County Insurance Committee. Altman seconded. Motion carried unanimously.

**Local Emergency Planning Committee**

Dillinger motioned to reappoint Christine Altman to the Local Emergency Planning Committee. Holt seconded. Motion carried unanimously.

**Noblesville Plan Commission**

Dillinger motioned to reappoint Sam Zeckel to the Noblesville Plan Commission. Holt seconded. Motion carried unanimously.

**Personnel Committee**

Holt motioned to reappoint Steve Dillinger to the Hamilton County Personnel Committee. Altman seconded. Motion carried unanimously.

**Property Tax Assessment Board of Appeals**

Holt motioned to reappoint Doris Beason and Randy Warner to the Hamilton County Property Tax Assessment Board of Appeals. Dillinger seconded. Motion carried unanimously.

**Riverview Hospital Board of Trustees**

Dillinger motioned to appoint Greg Murray and Rick Vanderwielen to the Riverview Hospital Board of Trustees. Holt seconded. Motion carried unanimously. Appointments replace Dan Shield and J.R. Cowan.

**Upper White River Watershed Alliance**

Dillinger motioned to reappoint Steve Holt to the Upper White River Watershed Alliance. Altman seconded. Motion carried unanimously.

**Westfield Public Library Board**

Holt motioned to reappoint Paul Catlin to the Westfield Public Library Board. Altman seconded. Motion carried unanimously.

Altman called a break in the meeting. [2:15:02]

Altman called the meeting back to order. [2:33:08]

**Bid Award**

**Judicial Center Chiller Conversion**

Mr. Scott Warner stated he has reviewed the bid for the Judicial Center Chiller Conversion and recommended the bid be awarded to McQuay Factory Service for a cost of \$93,605.98. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Law Library**

Dillinger asked Warner the status of the Law Library conversion. Warner stated they are still collecting prices. Warner stated he hopes to have all the costs completed in approximately one week. Warner asked if the Commissioners want him to include his costs in what Larry Dawson is requesting for funding from the Council or use money from the Buildings and Grounds budget? Warner stated he will have more information by the next meeting.

**Local Veterinarians Proposal** [2:35:31]

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Dr. Stacey Sutphin stated she represents a group of area veterinarians practicing in Hamilton County. This group consists of 20 veterinarians and have been the source of animal care via the Humane Society. They provide spay-neuter care, injured and palliative care for stray and lost injured animals and provided care for the area police dogs. They currently have a good working relationship with the animal control officers in Hamilton County. They currently have relationships with the Hamilton County Humane Society, the Indianapolis Humane Society and Animal Care and Control in Indianapolis. With the past personal and financial commitment to Hamilton County, they would like to be considered as a possible provider of services, should any contracts or agreements be made for the county's animal care. If we are able to enter into an agreement we would be entering into a partnership with Hamilton County to create something unique. We would enter into an agreement with the understanding that our ability to communicate and be flexible with the county regarding policy and planning would be critical. Dr. Sutphin stated they would like to propose that Hamilton County's existing veterinarian hospitals, professionals and key veterinary staff to address the current issues of animal medical care under the county's obligation. They believe that by utilizing existing facilities that the county would win on several fronts. The savings of square footage within the shelter to increase actual adoption and education space. The support of existing facilities would allow existing businesses to grow as opposed to diluting the area with other services. Less administrative responsibility on the part of the county as opposed to an onsite provider or outside provider. Direct connection to local veterinarians is good for the pets, owners and community. Should the county deem onsite services are necessary for the function of this that they would ask the county to use local doctors to provide oversight of the medical services with direct connection with community doctors for after care. Local doctors would be willing to provide low cost spay-neuter services to households whose incomes would fall into a jointly determined amount. Our hope and purpose is to develop and enhance the relationship between local government, the shelter and all of the people involved in this very difficult, very emotional issue. Our goal would be to identify the needs of the county and then aggressively strive to try to meet those needs. Dr. Sutphin stated all the doctors are independent practitioners within the community. We have been providing services for a very long time, very quietly. We have not made any formal announcements of the work we have been doing. We have just done as we were asked to do. In this particular case we would like to do what is asked and also contribute in other ways.

Altman asked if there is a formal association or group that would do a proposal? Dr. Sutphin stated yes, the Indiana Veterinary Consortium, which has just developed within the last year. This has allowed them as a group to address policy. They could definitely put together a proposal quickly. Altman asked who would be the contact person? Dr. Sutphin stated she would be the contact person. Dillinger asked if she is proposing this in lieu of our arrangement with the low cost spay-neutering people? Dr. Sutphin stated yes. They do not know what the proposal is, there may be ways to work together or set it up that they could fill the need in Hamilton County. Dillinger stated it is our belief that a lot of what the low cost spay-neuter group would be doing would be things that the local vets would not be doing anyway. Dillinger stated such as picking up strays. Dr. Sutphin stated they can address that issue. They do spay-neuters for stray animals. We have been providing many services on a volunteer basis or at cost. Dillinger stated one of the problems is that you are coming in at the 11th hour. Dr. Sutphin stated they understand that and they have learned a valuable lesson. This directly affects us. This is an issue that needs to be addressed. Holt asked if she has spoken with the low cost spay-neuter group? Dr. Sutphin stated no, but she would like to do that. Holt stated you made this offer about a month ago and all of that time has gone by as we continue to move forward. It might make sense for your group to meet with the Hamilton County low cost spay-neuter group to see how you could collaborate with each other to make a better low cost spay-neuter program for everybody in the county. Dr. Sutphin asked if a contract has been awarded? Holt stated a contract has been drafted and is being reviewed by the parties as we speak. By the next meeting we will be in a position to sign a contract with them. Altman stated we have reached consensus that the county will make space available for spay-neuter. We have been talking with the low-cost spay-neuter group wherein they would not charge the county for providing that service. Altman suggested Dr. Sutphin's group present a written proposal to the commissioners as to what your group would do under those parameters so we could also consider that with the proposal we have from the low cost spay-neuter group. We would expect you would control scheduling, that you would provide certain hours of operation, as the other group has indicated to us that they will. Altman stated we are at the stage we need to make decisions and move along with the project. Holt stated they could work with the low cost spay-neuter group to have a better package. Dillinger stated it was never our intention to exclude the veterinarians. We have a problem in Hamilton County and we were looking for a solution to that problem. Holt stated we had a animal control taskforce that has met for a couple of years and came up with the solutions that we thought were appropriate and lots of veterinarians sat on the taskforce. Dr. Sutphin asked if there was a recommendation made by the taskforce that they could look at? Is there anything in writing? Altman stated we received a memo from the low cost group that outlined what they would provide. Holt stated the taskforce issues addressed were education, adoption, feral cats, spay-neuter and animal control ordinances. We have implemented in each of those areas with the exception of the feral cats and low-costs spay-neuter. We believe we will be able to address these points with the new facility we are building. Dr. Sutphin asked if there would be a way to get a copy of the taskforce recommendations? Holt asked Swift to get a copy for Dr. Sutphin. Dillinger stated we have been dealing with this for a long time and we are not going to hold up things any longer. Dr. Sutphin stated she understands.

**Wayne Township Planning Jurisdiction to Noblesville [2:53:56]**

Mr. Chuck Kiphart stated Beazer Homes is requesting that the planning jurisdiction for 254 acres located at the northeast, southeast and southwest corners of Boden Road & 166th Street in Wayne Township in Hamilton County be relinquished by the Hamilton County Plan Commission and Hamilton County Board of Commissioners. Beazer would like to develop a large subdivision on those parcels and be within the Noblesville Planning Commission jurisdiction for zoning and building requirements. Altman stated she understands there is no annexation petition on file or annexation of that acreage by the City of Noblesville? Mr. David Waerhauser stated there is a petition for annexation on file with the City of Noblesville. It was filed in October 2004. Noblesville asked that we not proceed with the annexation they want to proceed with that contemporaneously with the zoning and suggested we contact Mr. Kiphart to ask that the county allow Noblesville to exercise its planning and zoning jurisdiction while the annexation is proceeding. He wrote Mr. Kiphart in late October and thought we would be heard by the Plan Commission in November. Due to a procedural glitch we ended up going to the December meeting of the Plan Commission. We are trying to proceed with the annexation. It is his understanding that the Noblesville City Council will do the first reading of the fiscal plan tomorrow. The annexation has been sought. This is a question of timing. The fitness facility would include a pool, tennis center which will be open to the public and members of the development would be required to be members of the athletic club. The Noblesville plan development process calls for making a presentation formally to the city council. We have done that. It also provides going to the architectural review board and the house plans have been reviewed

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and revised on the basis of their initial review. Beazer views this as an very important project for them. They are based in Atlanta, Georgia and came to Indianapolis by the acquisition of Crossman Communities. Beazer would like to showcase what it can do and what it does nationally and try to show that this is completely different from what people have come to expect from a Crossman Community. We are looking at very high level of finish, architecture and a land plan with 40% of open space. If the architectural review board is satisfied and if we were to proceed under Noblesville planning we would send out notices with a full public hearing for all the residents of Wayne Township and the City of Noblesville who would be effected by this. After the public hearing there would be a definitive binding vote. At that time it would go the Noblesville City Council. They are hoping it could be done contemporaneously so that the council, if they approve the project and annexation would have done so by the end of March. Beazer is looking at whether it will have a project on this property this year, it needs to make plans for alternatives if that is not the case. Equally important is for the landowners. Beazer has entered in to a contract with the landowners, who have an interest in what is happening. They would like to have the opportunity to proceed with the planning process understanding we are proceeding with the annexation into the City of Noblesville.

Altman asked Holt why was there a negative reaction from the local plan commission for relinquishment? Holt stated some of the Wayne Township members had a problem. The plan commission in general was accommodating, we thought it was logical for Noblesville to do the supervision because it will be Noblesville. Altman stated she did not understand Mr. Kiphart's certification, she thought it was a negative vote. Altman asked Mr. Kiphart what the result was from the Plan Commission on relinquishment? Kiphart stated they voted unanimously not to approve relinquishing authority. The plan commission has dealt with this several times before. Several people from Wayne Township have spoken to the plan commission about it. They are understanding that a lot of the property will be annexed in to Noblesville. It was the feeling of the plan commission, based on input from the residents of Wayne Township, that it be done through the annexation process, not by giving up jurisdiction of the Hamilton County Plan Commission until annexation took place. Holt stated he has no problem giving it up and he supports the request. Dillinger stated obviously Noblesville will be taking all of this over and they will be annexing it. He does not know why it would not be prudent on our part to let them do the entire planning now rather than piece milling it. Dillinger stated he supports the transfer and so moved. Holt seconded. Altman stated the only risk she sees is that the approval goes to Noblesville and it is not annexed. Howard stated that will not happen because they want sewers. Motion carried unanimously.

**Orthophotography Buy-Up Contract [3:04:25]**

Mr. Larry Stout stated the commissioners previously approved a buy-up on the digital orthophotography project with the State. At that time he recommended not doing the buy-up on the infrared color photography. Since that time the State has determined that they will bear the entire cost of the color infrared statewide, they have returned the contract Hamilton County sent to them. The other change was that the county buy-up directly with the vendor for the 6 inch pixel product. The State has changed their mind and they are not going to allow counties to buy-up directly with the vendor. They extended the deadline for counties to buy-up until January 15th. Stout recommended we enter into a contract with the State in the amount of \$83,625.00 for the 6 inch buy-up. We have a commitment from Carmel, Fishers and Noblesville in the amount of \$16,725.00 each. Stout recommended we continue to try to persuade Westfield to join in the support of this and if it fails the county cover that share. This product will go in to the public domain and if they want to access it, we will let them access it that way. We will not be writing them any CD's. Altman stated she and Larry have discussed how to bring Westfield into the fold regarding the orthos, digitals and GIS. We think Westfield does not see the value of the information. It may be an issue if we pull together the technical data and visit Westfield and show them how it has saved the county money with Posse, GIS, etc. It would be a benefit to the county and Westfield. Stout stated one of his concerns was proceeding with the project without Westfield's participation that Carmel, Fishers and Noblesville would turn their shoulder to us when we ask them to fund something the next time. They have all said they would still like to participate whether Westfield does or does not. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Flooding/Ice Storm Update [3:09:27]**

Mr. David Bice presented an update of the January 4-7, 2005 ice storm and floods. The river crested on Friday at 19.59 feet. He has been briefed by the National Weather Service and there is another weather system moving in that could bring up to 3" of rain between now and Thursday. Currently all of the roads are open. Hamilton County has 25 customers that are still without power. One person came into the shelter. SEMA will send a crew to help clean-up Atlanta.

**Commissioner Committee Reports [3:14:32]**

**Insurance Committee**

Dillinger stated the insurance committee is requesting quotes on the deferred comp plan.

**Paramedic Services RFP**

Altman stated the RFP for paramedic services has been released. We hope to have responses back by the end of the month.

**Emergency Order**

Holt motioned that the record indicate that we had concurrence to remove the Emergency Order on Friday afternoon, January 7, 2005 at approximately 4:45 pm. Dillinger seconded. Motion carried unanimously.

**Attorney [3:17:51]**

**Clay Terrace Maintenance and Easement Agreement**

Howard stated Altman has reviewed the Maintenance and Easement Agreement with the City of Carmel for Clay Terrace and she has stated the agreement is a little broad in terms of responsibilities and she would like it reviewed further.

**Humane Society Operation and Service Agreement**

Howard stated he has distributed a draft of the Humane Society Service Agreement and discussed the agreement with the Humane Society's attorney. This draft has been given to the Humane Society and the attachments of the legal description of the property, a form of an annual agreement and the termination agreement for the lease of the existing facility. The estimated value of the current facility at the time of construction was \$240,000 a substantial contribution was made by both Hamilton County and the City of Noblesville. \$140,000 was used for the burn down of the 5% a year over 20 years and that is how we arrived at the buy-out figures. Altman asked what is the buy-out amount? Within one year of the occupancy of the new center there would be five years left to pay \$140,000, with four years - \$28,000, with three years - \$21,000 and the last years would be \$14,000. These figures will be presented to the Humane Society Board Wednesday night. Holt motioned to approve the contract as to form. Dillinger seconded. Motion carried unanimously.



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**Riverview Hospital Owner Consent**

Howard stated Riverview Hospital has applied to the City of Noblesville to have the hospital zoned as a government use overlay. Nelson and Frankenberger represent the hospital and have presented it to the plan commission which gave it a favorable recommendation. Nelson and Frankenberger have requested an Owner Consent be on file because there are pieces of ground owned by the county and pieces of ground owned by the Hamilton County Hospital Association. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Spay-Neuter Services**

Howard asked the commissioners how he should proceed with the low cost spay-neuter agreement, he has submitted a contract to the low cost spay-neuter group. Dillinger stated the commissioners have asked Dr. Sutphin to contact the spay-neuter group to see if there is something that can be worked out with them or they may want to make a proposal of their own. We are not holding up anything. Altman stated we are moving forward and Swift will coordinate with the veterinarians association for a formal written response.

**Port Authority Grant [3:26:47]**

Ms. Rhonda Klopfenstein and Ms. Cathy Hale, representing the Hoosier Heritage Port Authority requested signatures on a TEA-21 Grant application to start Phase II of their track rehabilitations from Noblesville to Indianapolis. Ms. Klopfenstein stated the grant request is in the amount of \$600,000. Ms. Hale stated it will be rehabilitation of the ties, so the fair train can run smoothly, several additional crossings, some tamping and ballast. Holt motioned to approve the grant application. Dillinger seconded. Motion carried unanimously. Ms. Klopfenstein will contact Altman when she has the application for signature.

**Administrative Assistant [3:28:50]**

**Child Protection Team Advisory Committee Appointment**

Mr. Fred Swift stated Karen Beaumont has requested Barry McNulty be re-appointed to the Child Protection Team Advisory Committee. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Noblesville Schools Wage Determination Committee**

Dillinger motioned to appoint Kevin Brieninger to the Noblesville Schools Wage Determination Committee. Holt seconded. Motion carried unanimously.

**Insurance**

Swift stated Bob Fearrin is reviewing the county's insurance and has asked if we have contracts with the smaller entities that the county does dispatching for. Fearrin believes we should have some kind of agreement in place. This item was referred to the county attorney for review and bring back a recommendation.

**Surplus Computer Equipment**

Swift stated ISSD has requested the list of computer equipment dated January 7, 2005 be declared surplus property for disposal by auction. ISS recommends using Chaudion's auction. Holt motioned to declare the exhibit, 2005 Inventory items dated January 7, 2005 surplus property and contact Chaudion's Auction Services to perform the sale. Dillinger seconded. Motion carried unanimously.

**Prevail Luncheon**

Swift stated the Prevail Board has requested the county prepare a certificate of recognition for Beth Gehlhausen as she retires from Prevail. Holt motioned to execute a Certificate of Recognition for Beth Gehlhausen's retirement luncheon. Dillinger seconded. Motion carried unanimously.

**Auditor[3:36:33]**

**SRI Tax Sale Services Addendum**

Ms. Robin Mills requested approval of the SRI Tax Sale Services Addendum for 2005. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**O.W. Krohn CAFR Agreement**

Ms. Mills requested approval of an agreement with O.W. Krohn for the preparation of the 2004 CAFR. Dillinger motioned to approve. Holt asked if this is something we RFP? Mills stated this is something only a few select firms do, last year we had a very unfortunate experience and we would like O.W. Krohn to do work with us and the State Board of Accounts this year. Holt seconded. Motion carried unanimously.

**Acceptance of Bonds/Letters of Credit - Drainage Board**

Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2004-00053 - Lexon Insurance Company Subdivision Bond No. 1008966 for Tanglewood Sec. 1 - storm sewer and erosion control - \$28,742.80. 2) HCDB-2004-00078 - The Continental Insurance Company Subdivision Bond No. 46BSBDC15778 for Limestone Springs - storm and erosion control - \$133,527.25. 3) HCDB-2004-00079 - Bond Safeguard Insurance Company Bond No. 5013390 for the reconstruction of the Fred Hines Drain in Slater Ridge, Section 1 - \$268,476.67. 4) HCDB-2004-00080 - Bond Safeguard Insurance Company Bond No. 5013391 for the reconstruction of the arm of the Fred Hines Drain in Slater Run, Section 1 - \$41,618.38. 5) HCDB-2004-00090 - Bond Safeguard Insurance Company Bond No. 5013413 for Fox Hollow at Geist Section 4 - monuments and markers - 4720.00. 6) HCDB-2004-00091 - Bond Safeguard Insurance Company Bond No. 5013411 for Fox Hollow at Geist Section 4 - storm sewers and subsurface drains - \$66,174.88. 7) HCDB-2004-00092 - Bond Safeguard Insurance Company Bond No. 5013412 for Fox Hollow at Geist Section 4 - Erosion Control - \$19,926.00. 8) HCDB-2004-00097 - Bond Safeguard Insurance Company Bond No. 5012599 for Waterman Farms Section 1 - subsurface drain within a regulated drain - \$21,218.00. 9) HCDB-2004-00098 - Bond Safeguard Insurance Company Bond No. 5014466 for Maple Knoll Section 1 - storm drainage, monumentation and erosion control - \$463,512.00. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit - Drainage Board**

Mills requested release of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-B00-034 - Fidelity and Deposit Company of Maryland Performance Bond No. A312 for Village of West Clay, Section 15003 - monumentation, erosion control and storm sewers - \$9,419.00. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

**Clerk of the Circuit Court Monthly Report**

Mills requested acceptance of the Clerk of the Circuit Court's Monthly Report for November 2004. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Payroll Claims**

Mills requested approval of the Payroll Claims for the period of December 20, 2004 - January 2, 2005 to be paid January 14, 2005. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Vendor Claims**

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Mills requested approval of the Vendor Claims for payment January 11, 2005. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Buy-out of Comp Time - David Bice**

Mills requested approval and signature of a buy-out of David Bice's comp time due to a reclassification of his position prior to his becoming interim director. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**161st Street Bridge**

Holt gave the highway department a letter from the Town of Westfield regarding the 161st Street bridge and asked they bring back a recommendation to the next meeting.

Dillinger motioned to adjourn. Holt seconded. Motion carried unanimously.

**Commissioners Correspondence**

Leave of Absence Application for Kathy Richardson

Clay Township Regional Waste Letter

HUD Notice of FY 2005 Allocations

DNR Notice of Flood Map Coordination Meeting

Beam, Longest and Neff Notice of Transmittals:

Bridge #208, Wetland Mitigation Site - 2004 Monitoring Report

Bridge #105, Anthony Road over Jones Ditch

IDEM Fine Particulate (PM2.5) Designations

IDEM Denial of Isolated Wetland Individual Permit

IDEM Application for Public Water Safety Supply Construction Permit

IDEM Notice of Sewer Permit Applications:

Graystone - Fishers

The Bristol's, Section 3B - Fishers

The Horizons at Cumberland Pointe, Sections 3 and 4 - Noblesville

Kensington Carriage Homes at Oak Trace - Westfield

IDEM Sanitary Sewer Construction Permit Applications:

Townhomes at Guilford - Carmel

St. Vincent MOB - Carmel

Kensington Carriage Homes at Oak Trace - Westfield

Heather Knoll, Section 2 - Noblesville

Cherry Tree Meadows, Section 6 - Noblesville

South Avalon Estates, Section 3 - Fishers

Cherry Tree Meadows, Section 5 - Noblesville

Certificates of Insurance:

Bright House Networks, LLC

Comcast Cablevision of Indianapolis, LP

**Present**

Christine Altman, Commissioner

Steven C. Dillinger, Commissioner

Steven A. Holt, Commissioner

Robin M. Mills, Auditor

Kim Rauch, Administrative Assistant to Auditor

Fred Swift, Administrative Assistant to Commissioners

Michael A. Howard, Attorney

Doug Carter, Sheriff

Brad Davis, Highway Director

Jim Neal, Highway Engineer

Virginia Hughes, Administrative Assistant to Highway Engineer

Christopher Burt, Highway Staff Engineer

Tim Knapp, Highway Right-of-Way Specialist

Joel Thurman, Highway Project Engineer

Mike McBride, Small Structure Staff Engineer

Faraz Kahn, Highway Department

Kathy Howard, Highway Department

Joanne Chaten, M.D - Riverview Hospital

Becki Wise, USI

Denny Neideigh, CMT, Inc.

Larry Stout, ISSD

Aimee Snell, Browning Investments

Stacey Sutphin, Local Veterinarians

David Waerhauser, Barnes & Thornburg

Ann Parker, Beazer Homes

Bob Hansen, Noblesville Daily Times

Diana Lamirand, Noblesville Ledger

Scott Warner, Buildings & Grounds

R. David Bice, EMA

Rhonda Klopfenstein, Hoosier Heritage Port Authority

Cathy Hale, Hoosier Heritage Port Authority

Chuck Kiphart, Planning

Scott, Guede, Irving Materials, Inc.

Jay Longanecker, Asphalt Materials, Inc.



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Jeff Stamper, CPI  
Kevin Greene, CPI  
Walter Quate, Marathon Ashland Petroleum, LLC  
Jim Hornaday, McQuay  
Mark Jones, E&B Paving, Inc.  
Mark Miller, St. Regis Culvert

APPROVED  
HAMILTON COUNTY BOARD OF COMMISSIONERS

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ATTEST:

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Robin M. Mills, Auditor